

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

STILES, et al

Serial No.: 09/

Examiner:

Filed: herewith

Group Art Unit:

For: Novel Bacteriocins, Transport and Vector System and Method of Use Thereof

Preliminary Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to calculating the number of claims and the filing fee, please amend the claims as follows:

CANCEL claims 1-17, 19, and 21-36.

Please ADD claims 41-49, as follows:

41. A method for inhibiting the growth of susceptible bacteria comprising providing a microorganism that expresses heterologous DNA encoding a brochocin peptide, and applying said microorganism to susceptible bacteria in an amount sufficient to inhibit the growth of the susceptible bacteria.

42. The method of claim 41 wherein providing a microorganism that expresses heterologous DNA encoding a brochocin peptide comprises a secretion vector that comprises a first polynucleotide that encodes brochocin-C and a second polypeptide encoding a brochocin-C processing peptide, wherein at least one of the first polypeptide and the second polypeptide are heterologous to the microorganism.
43. The method of claim 42 wherein said second polypeptide encodes an N-terminal amino acid sequence.
44. The method of claim 43 wherein said N-terminal amino acid sequence comprises a signal amino acid sequence.
45. The method of claim 44 wherein said N-terminal amino acid sequence comprises a leader amino acid sequence.
46. The method of claim 41 wherein said microorganism is a lactic acid bacterium.
47. The method of claim 41 wherein said secretion vector comprises a gene for brochocin-C, and operable muteins thereof; a brochocin-C processing peptide operably linked to said gene; an immunity gene; and a promoter compatible with said microorganism and operably linked to said gene for brochocin-C.

48. An isolated DNA encoding brochocin-C (Seq. ID No. 23).
49. An isolated DNA encoding brochocin-C (Seq. ID No. 23) and the brochocin-C immunity gene.


REMARKS

The claims have been amended to claim the specific invention that Applicants wish to prosecute in this application.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-4650. A duplicate copy of this form is enclosed.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at 301-203-6300 (a local call).

Respectfully submitted,


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June 19, 2001

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